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Attorneys for Defendants Rimini Street,  
Inc., and Seth Ravin

**4** ORACLE USA, INC., a Colorado corporation;  
**5** ORACLE AMERICA, INC., A Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,  
v.

**8** RIMINI STREET, INC., a Nevada corporation;  
**9** AND SETH RAVIN, an individual,

## Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND [PROPOSED]  
ORDER CONCERNING CLAIMS  
ARISING OUT OF DEFENDANTS'  
SUPPORT FOR CUSTOMERS ON  
ORACLE E-BUSINESS SOFTWARE  
OR ORACLE DATABASE**

Courtroom: 3B  
Judge: Magistrate Peggy A. Leen

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Whereas,

13        1. The Second Amended Complaint (“SAC”) filed by Plaintiffs Oracle USA, Inc.,  
14 Oracle America, Inc., and Oracle International Corp. (collectively, “Oracle” or “Plaintiffs”) does  
15 not allege claims arising out of Defendants Rimini Street, Inc.’s (“Rimini Street’s”) and Seth  
16 Ravin’s (“Ravin’s”) (together, “Rimini” or “Defendants”) support for customers on Oracle’s E-  
17 Business software or Oracle’s Relational Database Management System (“Database”), though  
18 the SAC does allege other claims arising out of Defendants’ use of Database.

19           2. Defendants began providing support for customers on Oracle's E-Business  
20 software and Oracle Database after the filing of the SAC and after the deadline to amend  
21 pleadings in this action.

22       3. The Parties agree that Plaintiffs' claims relating to Defendants' use of Oracle's E-  
23 Business software and their support of customers on Oracle Database are outside the scope of  
24 this action. Defendants agree that they will not assert a res judicata, collateral estoppel or similar  
25 preclusion defense in a new action by Plaintiffs asserting claims based on such conduct.

26           4. Likewise, Plaintiffs agree that they will not raise res judicata, collateral estoppel,  
27 or similar preclusion arguments or theories in any future litigation related to Defendants'  
28 provision of E-Business or Oracle Database support.

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4 DATED: January 30, 2012

5 BINGHAM McCUTCHEN LLP

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7 By: /S/ Geoffrey M. Howard

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11 Attorneys for Plaintiffs

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14 Pursuant to stipulation, it is SO ORDERED.

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18 Hon. Peggy A. Leen

United States Magistrate Judge

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DATED: January 30, 2012

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2                   **ATTESTATION OF FILER**

3                   The signatories to this document are myself and Robert Reckers, and I have obtained Mr.  
4                   Reckers' concurrence to file this document on his behalf.

5                   DATED: January 30, 2012

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11                  *Attorneys for Plaintiffs*

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